

# The Planning Act

Your municipal council must give you as much information as possible when preparing its official plan. And before it adopts the plan, council must hold at least one public meeting where you can give your opinion. It is up to council to decide the best way to let people know about the meeting, but notice must be given at least 20 days ahead of time, usually through local newspapers or by mail.

The act encourages early upfront involvement and the use of mediation techniques to resolve conflict. Make sure you make your views known early in the planning process. If you don't, this may mean that the Ontario Municipal Board (OMB) could dismiss an appeal you may make later on, without holding a hearing.

The Planning Act requires a similar procedure for changes to the official plan, for zoning by-laws and plans of subdivision.

## How can you get involved?

You can be an important part of the land use planning process by keeping informed about what's going on in your community and by taking part in public meetings.

With your input, the municipal council will be able to make better decisions that affect your future.

So if you are concerned about all or any part of a planning proposal or policy change, you should:

- find out as much as possible about the proposal
- think about how it will affect you
- talk to your neighbours about it
- go to public meetings and information sessions and let council know what you think
- write to your council member or the municipal clerk about your views
- work with council and the municipal staff to resolve your concerns

Finally, if you are not happy with council's decisions on planning issues, you may appeal to the OMB for a public hearing. For more information about your rights to appeal, see the Ontario Municipal Board, No. 6 in the series.

## How can you find out more?

For more information about land use planning in your community or for copies of the Citizens' Guides, contact your municipal clerk or planning department, or your nearest Ministry of Municipal Affairs and Housing office:

**Provincial Planning Services Branch**  
(416) 585-6014  
Toll Free : 1-800-935-0696  
Fax: (416) 585-4245 or 585-4006

**Planning Policy Branch**  
(416) 585-6235  
Fax: (416) 585-6870

**Regional Operations Branch - Toronto**  
(416) 585-7296  
FAX: (416) 585-7292

**Eastern - Kingston**  
(613) 548-4304  
Toll Free : 1-800-267-9438  
FAX: (613) 548-6822

**Southwestern - London**  
(519) 673-1611  
Toll Free : 1-800-265-4736  
FAX: (519) 661-1677

**Northeastern - Sudbury**  
(705) 564-0120  
Toll Free : 1-800-461-1193  
FAX: (705) 564-6863

**Northwestern - Thunder Bay**  
(807) 475-1651  
Toll Free : 1-800-465-5027  
FAX: (807) 475-1196

**Central - Toronto**  
(416) 327-0017  
Toll Free : 1-800-668-0230  
FAX: (416) 327-0980

Copies of the Guides may also be obtained from  
**Publications Ontario** (416) 326-5300 or  
1-800-668-9938

Visit the Ministry's Internet site at:  
[www.mmah.gov.on.ca](http://www.mmah.gov.on.ca)



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# Citizens' Guide

## The Planning Act



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Ministry of Municipal Affairs and Housing

## Introduction

Land use planning affects almost every aspect of life in Ontario. It helps decide where in our communities homes and factories should be built; where parks and schools should be located; and where roads, sewers and other essential services should be provided.

Land use planning means managing our land and resources. It helps each community to set goals about how it will grow and develop and to work out ways of reaching those goals while keeping important social, economic and environmental concerns in mind. It balances the interests of individual property owners with the wider interests and objectives of the whole community.

Good planning leads to orderly growth and the efficient provision of services. It touches all of us and helps us to have the kind of community we want.

But often we don't see how it affects our lives and property each day. And it often seems confusing.

A series of Citizens' Guides has been prepared to help you understand how the land use planning process works in Ontario. They are intended to give general information only and are not an interpretation of the Planning Act or any other act. You should refer to the legislation for specific requirements and procedures. The titles of the guides are:

1. The Planning Act
2. Official Plans
3. Zoning By-Laws
4. Subdivisions
5. Land Severances
6. Ontario Municipal Board
7. Northern Ontario
8. Building Permits
9. One-Window Provincial Planning Service/  
Municipal Plan Review
10. Making Mediation Work For You

## What is The Planning Act?

The Planning Act sets out the ground rules for land use planning in Ontario and describes how land uses may be controlled, and who may control them.

The act is legislation passed by your elected provincial representatives to

- promote sustainable economic development in a healthy natural environment within a provincial policy framework
- provide for a land use planning system led by provincial policy
- integrate matters of provincial interest into provincial and municipal planning decisions by requiring all decision-makers to have regard to the Provincial Policy Statement
- provide for planning processes that are fair by making them open, accessible, timely and efficient
- encourage co-operation and coordination among various interests
- recognize the decision-making authority and accountability of municipal councils in planning

The act provides the basis for:

- considering provincial interests, such as protecting and managing our natural resources
- establishing local planning administration including **planning boards** in northern Ontario. (See Northern Ontario, No. 7 in the series.)
- preparing **official plans** and planning policies that will guide future development
- establishing a streamlined planning process which emphasizes **local autonomy** in decision-making
- **exempting** official plans from approval (See Official Plans, No. 2 in the series.)

- regulating and controlling land uses through **zoning by-laws** and **minor variances**. (See Zoning By-Laws, No. 3 in the series.)
- dividing land into separate lots for sale or development through a plan of **subdivision** or a **land severance**. (See Subdivisions and Land Severances, Nos. 4 & 5 in the series.)
- ensuring the rights of local citizens to be notified about planning proposals, to give their views to their municipal council, and to appeal decisions to the **Ontario Municipal Board (OMB)**. The OMB is an independent administrative tribunal responsible for hearing appeals and deciding on a variety of contentious municipal matters. (See the Ontario Municipal Board, No. 6 in the series.)
- providing that provincial appeals are to be made through the **Ministry of Municipal Affairs and Housing**. (See One-Window Provincial Planning Service/Municipal Plan Review, No. 9 in the series.)

## What is the province's role?

The province:

- issues provincial policy statements under the Planning Act
- promotes provincial interests, such as protecting farmland, natural resources and the environment
- provides one-window planning service to municipalities through the Ministry of Municipal Affairs and Housing, the primary provincial contact for advice and information on land use planning issues
- gives advice to municipalities and the public on land use planning issues
- administers local planning controls and gives the approval where required

## What is the role of municipalities?

The local municipality:

- makes local planning decisions that will determine the future of communities
- prepares planning documents, such as:
  - an **official plan**, which sets out the municipality's general planning goals and policies that will guide future land use, and
  - zoning by-laws**, which set the rules and regulations that control development as it occurs. The Planning Act also gives planning boards in northern Ontario the power to pass zoning by-laws for unorganized territory within their planning areas.

Counties and regional/district municipalities, as well as planning boards, deal with broad land use planning issues that concern more than one local municipality. Some of these upper-tier municipalities have their own official plans and have the power to approve local official plans, in place of the Minister of Municipal Affairs and Housing.

Some of these upper-tier municipalities are also the approval authority for plans of subdivision.

In some areas of the province, municipalities in one or more counties, with the approval of the minister, may constitute a municipal planning authority to do joint planning to address common issues on managing growth and providing services. A municipal planning authority would have the same power as the council to prepare an official plan for the defined municipal planning area. It may also be given the power to approve plans of subdivision and consents.

Contact your municipal clerk to determine the approval authority for official plans and plans of subdivision in your area.

## What is the Provincial Policy Statement?

The Planning Act provides that the Minister of Municipal Affairs and Housing may, from time to time, issue provincial statements on matters related to land use planning that are of provincial interest.

The Provincial Policy Statement containing clear, overall policy directions on matters of provincial interest related to land use planning and development, came into effect May 22, 1996. (The Statement may be obtained through the government offices listed at the end of this guide.)

The Provincial Policy Statement promotes a policy-led system which recognizes that there are complex inter-relationships among environmental, economic and social factors in land use planning. It contains three major policy areas:

- **Managing change and promoting efficient, cost-effective development and land use patterns which stimulate economic growth and protect the environment and public health**
  - are economically and environmentally sound
  - meet the full range of needs of current and future residents
  - avoid the need for costly remedial measures to correct problems
- **Protecting resources for their economic use and/or environmental benefits**

The Provincial Policy Statement contains policies which deal with the wise use and protection of the province's resources - agricultural land, mineral resources, natural heritage resources, ground and surface water and cultural heritage resources for their economic, environmental and social benefits.

- **Reducing the potential for public cost or risk to Ontario's residents by directing development away from areas where there is a risk to public health or safety, or of property damage**

The Provincial Policy Statement contains policies which deal with protecting the long-term health and safety of the population, and the financial and economic well-being of the province and municipalities. It does this by ensuring that development does not occur in areas where the risk to public health and safety is the greatest, and by ensuring that any development which is permitted in less hazardous areas is carried out in such a way that the hazard is mitigated.

When decision-makers exercise any authority that affects planning matters, the Planning Act requires that they "shall have regard to" the Provincial Policy Statement. It means that a decision-maker is obliged to consider the application of a specific policy provision when carrying out any planning responsibility. It is expected that decision-makers will implement the Provincial Policy Statement in the context of other planning objectives and local circumstances.

## How does the Planning Act work?

Municipal councils, landowners, developers, planners and the public play an important role in shaping a community. Community planning is aimed at identifying common community goals and balancing competing interests of the various parties.

The central activity in the planning of a community is the making of an official plan, a document which guides future development of an area in the best interest of the community as a whole.